

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

TED THARP,

Plaintiff,

v.

Case No. 04-CV-73775-DT

GRAND TRUNK WESTERN RAILROAD,  
INC.,

Defendant.

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**ORDER DISMISSING CASE**

On August 29, 2005, the court held a final pre-trial and settlement conference during which the parties reached an amicable resolution of all claims in this case. The terms were recited to the court on the record. The parties may, if they wish, memorialize agreement in writing. Based on the parties' recited agreement,

IT IS ORDERED that the above-captioned case is DISMISSED WITHOUT PREJUDICE subject to the right of either party to move for reinstatement of this case within 60 days of this order if the objects of the recited settlement are not met. After 60 days, this dismissal becomes WITH PREJUDICE.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: August 30, 2005

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 30, 2005, by electronic and/or ordinary mail.

S/Lisa G. Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522